



U.S. Department of Justice

Office of the United States Trustee
Southern District of New York

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September 24, 2018

BY ECF AND BY FEDERAL EXPRESS

Hon. James L. Garrity, Jr.
United States Bankruptcy Judge
United States Bankruptcy Court
Alexander Hamilton Customs House
One Bowling Green
New York, New York 10004

Re: In re Igor Erik Kuvykin
Case No. 18-10760 (JLG)

Dear Judge Garrity:

I respectfully write to update the Court concerning the stipulation and order of dismissal of the above-referenced case (the "Stipulation").

The September 20, 2018 status letter of debtor's counsel, Wayne M. Greenwald, Esq., stated that he anticipated that a proposed Stipulation would be submitted to the Court by the middle of this week. This Office does not intend to submit a proposed Stipulation until after the hearing on the application of creditor WB Kirby Hill, LLC ("Kirby") for a judgment to be entered on its application for its administrative claim. The hearing on Kirby's proposed judgment is currently scheduled for October 10, 2018.

The reason that the Stipulation will not be submitted until after the October 10 hearing is that the proposed Stipulation contains a provision that two orders will survive any dismissal of the case: (a) the Decision and Order entered on August 31, 2018 (ECF

No. 70); and (b) the judgment awarded to Kirby. See 11 U.S.C. § 349. I had told Jil Mazer-Marino, Esq., Kirby's counsel, that submission of the Stipulation to Chambers would await entry of Kirby's judgment.

Respectfully,

WILLIAM K. HARRINGTON
UNITED STATES TRUSTEE, REGION 2

By: /s/ Serene K. Nakano
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cc: Wayne M. Greenwald, Esq.
Jil Mazer-Marino, Esq.
William Dahill, Esq.
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